

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GISETTE VEGA,

Plaintiff,

-against-

LOUIS A. MOLINA et al.,

Defendants.

23-CV-11025 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

On February 26, 2024, and March 18, 2024, Defendants Correction Officers' Benevolent Association, Inc. ("COBA"), Correction Captain's Association, Inc. ("CCA"), and the City of New York Defendants filed motions to dismiss the complaint in this case. *See* Dkt. Nos. 27, 35, 38. Subsequently, on May 2, 2024, the Plaintiff filed an amended complaint and added various Defendants to the action. *See* Dkt. No. 50. The Court then ordered that the Defendants could answer the amended complaint, file a new motion to dismiss or supplement their previous motion to dismiss, or file a letter on ECF stating that they intend to rely on their previous motion. *See* Dkt. No. 51.

On June 20, 2024, COBA filed a new motion to dismiss. *See* Dkt. No. 63–64. As such, COBA's previous motion to dismiss at Dkt. No. 27 is DENIED AS MOOT. The Clerk of Court is DIRECTED to terminate Dkt. No. 27.

Also on June 20, CCA and the City of New York Defendants (consisting of Louis Molina, Solange Grey, Nadene Pinnock, Wayne Prince, James Mattone, Jason Andrews, Joel Tucker, Asim Rehman, Jocelyn McGeachy-Kuls, Kevin F. Casey, Eric Adams, and the City of New York) filed letters supplementing their previous motions to dismiss. *See* Dkt. Nos. 61–62 and 65.

Therefore, pending before the Court now are the following: a motion to dismiss by COBA at Dkt. Nos. 63–64, a motion to dismiss and a supplemental letter by CCA at Dkt. Nos. 38–40 and 65, and a motion to dismiss and a supplemental letter by the City of New York Defendants (*see* Dkt. Nos. 35–37 and 61–62). The following briefing schedule is ORDERED:

- The Plaintiff must file any brief in opposition to the motions to dismiss by **July 18, 2024**. The Plaintiff may file **only one brief, which should address the arguments in all three motions to dismiss. The Plaintiff's consolidated brief must not exceed 40 pages.**
- The Defendants must file any reply briefs by **July 25, 2024**.

Additionally, Plaintiff has not served the amended complaint on various Defendants who have not yet appeared on the docket: Benny Boscio; Patrick Ferraiuolo, Paul Idlett, Otis Blount, and Joey Jackson Law, PLLC. It is ORDERED that the Plaintiff must request issuance of summons and serve those summonses and the amended complaint on these Defendants by **July 12, 2024**. It is further ORDERED that the Plaintiff must file proof of such service on the docket by **July 19, 2024**. **Plaintiff is advised that failure to comply with these deadlines may result in the action against these defendants being dismissed for failure to prosecute the action against them.**

Dated: June 21, 2024
New York, New York

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Margaret M. Garnett', is written over a horizontal line.

MARGARET M. GARNETT
United States District Judge